



# House of Representatives

General Assembly

**File No. 598**

February Session, 2016

Substitute House Bill No. 5632

*House of Representatives, April 13, 2016*

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING AN ACCIDENT REPORT FOR A MOTOR VEHICLE ACCIDENT IN WHICH A PERSON WAS KILLED.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 14-108a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2016*):

4 (a) (1) The Commissioner of Transportation shall prescribe for the  
5 Division of State Police within the Department of Emergency Services  
6 and Public Protection and for each police department and officer and  
7 other suitable agencies or individuals a uniform investigation of  
8 accident report, in such form as the commissioner shall prescribe,  
9 which form shall be followed in filing all such reports.

10 (2) In each motor vehicle accident in which any person is killed or  
11 injured or in which damage to the property of any one individual,  
12 including the operator, in excess of one thousand dollars is sustained,  
13 the police officer, agency or individual who, in the regular course of  
14 duty, investigates such accident, either at the time of or at the scene of

15 the accident or thereafter, by interviewing the participants or  
 16 witnesses, shall, [within] not later than five days after completing such  
 17 investigation, complete and forward one copy of such report to the  
 18 Commissioner of Transportation. Such report shall [call for and]  
 19 contain all available [detailed] information relating to [disclose] the  
 20 location and cause of the accident, the conditions then existing, the  
 21 persons and vehicles involved and the names of the insurance  
 22 companies issuing their automobile liability policies, as well as the  
 23 enforcement action taken, if any, and, in the case of a motor vehicle  
 24 accident in which any person is killed, such report shall, if possible and  
 25 practicable, reach a conclusion as to the cause of the accident. If such a  
 26 conclusion cannot be reached, the investigating officer, agency or  
 27 individual shall state in such report the reasons why a conclusion  
 28 cannot be reached and the officer, agency or individual shall refer the  
 29 case to the state's attorney for the judicial district in which the accident  
 30 occurred, who may refer the case to the Division of State Police within  
 31 the Department of Emergency Services and Public Protection for  
 32 review and further investigation. The Commissioner of Transportation  
 33 shall forward to the Commissioner of Motor Vehicles one copy of each  
 34 report of any accident involving a school bus. The Commissioner of  
 35 Motor Vehicles may inquire into or investigate any accident reported  
 36 pursuant to this subsection and may request the assistance of the  
 37 Division of State Police within the Department of Emergency Services  
 38 and Public Protection for such purposes.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2016	14-108a(a)
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**Statement of Legislative Commissioners:**

In Subsection (a)(2), "state police" was replaced with "Division of State Police within the Department of Emergency Services and Public Protection" for consistency.

**JUD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

This bill requires police to refer cases involving a fatal motor vehicle accident to the state's attorney when they are unable to determine the cause of the accident. The bill allows the state's attorney to refer the matter to the Department of Emergency Services and Public Protection for review and further investigation. The bill will not result in a fiscal impact.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****sHB 5632*****AN ACT CONCERNING AN ACCIDENT REPORT FOR A MOTOR VEHICLE ACCIDENT IN WHICH A PERSON WAS KILLED.*****SUMMARY:**

This bill requires police, other investigating agencies, and individuals (investigators) to refer a case involving a fatal motor vehicle accident to the state's attorney in the district where the accident took place when they are unable to determine the cause of the accident, and it allows the state's attorney to refer the matter to the State Police for review and further investigation.

In such a case investigators must state, in the required accident report to the Department of Transportation (DOT), why they could not reach a conclusion as to the cause of the fatal accident. By law, investigators must send DOT an accident report, within five days after completing an investigation, for any motor vehicle accident in which someone (1) was killed or injured or (2) incurred more than \$1,000 in property damage.

The bill requires the accident report to include, if possible and practicable, a conclusion as to the cause of any fatal accident. Existing law already requires accident reports to include information on the cause of a reportable accident.

As under existing law, the report must also include information on:

1. the location of the accident and the conditions at the time it occurred;
2. the people and vehicles involved, and the names of the companies that issued their car insurance policies; and

3. any enforcement action taken.

The bill also makes minor and technical changes.

EFFECTIVE DATE: October 1, 2016

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable Substitute

Yea 42 Nay 1 (03/28/2016)